

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS	REMARKS
18:371	Conspiracy (ct. 1) (9/84-12/90)	1	
18:1344; 2	Bank Fraud (ct. 2) (9/84-7/90)	1	
18:1006; 2	False Entries (ct. 3 & 4) (10/19/84)	2	X
18:1343; 2	Wire Fraud (ct. 5) (9/84-12/84)	1	

APPROVED
6-12-92

INTERVAL ONE		END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)		END INTERVAL TWO	
II. KEY DATE <div>KEY DATE</div> <div>EARLIEST OF</div>	<input type="checkbox"/> arrest <input type="checkbox"/> summons <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint	<div>KEY DATE</div> <div>APPLICABLE</div>	<input checked="" type="checkbox"/> indictment filed/unsealed <input type="checkbox"/> consent to Magr trial on complaint <input type="checkbox"/> information <input type="checkbox"/> Felony W/waiver	<div>KEY DATE</div> <div>APPLICABLE</div>	<input type="checkbox"/> Dismissal <input type="checkbox"/> Pled guilty <input type="checkbox"/> Nolo <input checked="" type="checkbox"/> Trial (your dir) began <input type="checkbox"/> Jury <input type="checkbox"/> N.J.
1st appears with or waives counsel	ARRAIGNMENT	1st Trial Ended	2nd Trial Began	DISPOSITION DATE	SENTENCE DATE
				6-6-94	10-13-94
		RE-TRIAL			
				<input type="checkbox"/> PTD <input type="checkbox"/> Noile <input type="checkbox"/> Pros.	FINAL CHARGES DISMISSED <input type="checkbox"/> on S.T. <input type="checkbox"/> grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP

III. MAGISTRATE									
Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE ▶		INITIAL/NO.	OUTCOME: <input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW		
	Return			PRELIMINARY EXAMINATION { Date Scheduled ▶ OR Date Held ▶					
Summons	Issued	2/24/93		<input type="checkbox"/> REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED Tape Number					
	Served			<input type="checkbox"/> INTERVENING INDICTMENT					
Arrest Warrant Issued									
COMPLAINT ▶									
Date of Arrest		OFFENSE (In Complaint)							

Richard Fuqua (2)

[illegible]

DATE DOCUMENT NO	Yr Docket No Def	3-93CR-057-1 Case 3:93-cr-00057-1 Document 42 Filed 02/28/93 Page 2 of 42 PageID 42 PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	VI EXCLUDABLE DELAY		
			Start Date End Date	Ln Code	Total Days
		(OPTIONAL) Show last names of defendant			
		V. PROCEEDINGS			
1993					
FEB 24		INDICTMENT (22). Warrant for Arrest Issued.		AJF/amy amy	
Feb 26		ORDER SETTING CONDITIONS OF RELEASE...PR bond; surrender passport to District Clerk in Dallas by noon 3/2/93. WFS/nbs cys: deft, ausa, usm, pt, cnsl ENTRY OF APPEARANCE OF COUNSEL Michael Maness, ret for deft cys: judge, ausa, pt, pb, esther Receipt for Passport Number 0321377 for John George Aubin. (placed in vault)		amy	
MAR 4		MO...arraignment on counts 1-5 of 5 count indictment; pre g/1; defendant enters aplea of ngpl; trial set for 5/3/93 at 9:00 a.m.; bond continued; motion due 3/15/93; responses to motions 3/22/93; pretrial order to issue; defendant's motion to modify conditions of release to be referred back to magistrate. (1). PRETRIAL ORDER...case is set for jury trial for 5/3/93 at 9:00 a.m.; pretrial motions by 3/15/93; responses to pretrial motions by 3/22/93; requested voir dire questions, proposed jury instructions, witness lists, exhibit lists and motion in limine by 4/29/93. Copies of exhibits shall be exchanged by that date. (1). dist/dkt'd 3/5/93 Defendant George Aubin's Motion for Permission to Travel within the Continental U.S. (4).		amy RBM/amy	
MAR 5		ORDER OF REFERENCE...motion for permission to travel within the continental U.S., filed 3/4/93 is referred to US Magistrate Judge Sanderson for hearing. (1)		RBM/amy	
Mar 8		ORDER ON DEFENDANT GEORGE AUBIN'S MOTION FOR PERMISSION TO TRAVEL WITHIN THE CONTINENTAL UNITED STATES...Deft's mtn for permission to travel, for business purposes only, within continental U.S. and Hawaii, is granted. Deft shall advise this Court's Pretrial Services Agency, in writing, in advance of such travel, of anticipated date of departure, destination, & anticipated date of return to Houston. cys: judge, ausa, cnsl, pt, pb, usm, esther dktd 3/8/93		WFS/nbs	
MAR 9		Defendants Joint and Uncontested Motion for Revised Scheduling Order and Continuance of Trial Setting. (5)		amy	
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UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

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AO 256A

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1993	(Document No.)				
Mar 10	In re: Misc 1251A Grand Jury Matter - per Court Order of 3/10/93 in Misc. 1251A UNSEALING Misc 1251A Order of July 14, 1992 and placed in this file with copy of Misc. 1251A order of this date. gs				
MAR 9	Return on Warrant for Arrest...arrested 2/26/93 by Robert N. Bettles, Special Agent of FBI. amy				
MAR 15	DEFENDANT GEROGE AUBIN'S MOTION TO DISMISS INDICTMENT AND TO STRIKE PREJUDICIAL SURPLUSAGE OR GRANT A BILL OF PARTICULARS SVC				
APR 5	Defendant George Aubin's Waiver of Speedy Trial Rights. (3)				
APR 6	Government's Request to File Response to Defendant Aubin's Motion to Dismiss Indictment and to Strike Surplusage of Grant a Bill of Particulars. (3) OTJ. amy				
APR 7	ORDER...that the Government's Request to File Response, filed 4/6/93 is granted. The Clerk of the Court shall file the Government's Response to Defendant's Motion to Defendant Aubin's Motion to Dismiss and Strike Surplusage or Grant Bill of Particulars, the original which accompanies this order. (1) dist'd/dkt'd 4/7/93 RBM/amy				
	Government's Response to Defendant Aubin's Motion to Dismiss and Strike Surplusage or Grant Bill of Particulars. (12) amy				
APR 28	ORDER...this case is continued to the Jury Trial Docket at 9:00 a.m. on 9/6/93. Reuquested voir dire questions, proposed jury instructions, witness lists, exhibit lists and copie of exhibits, and motions in limine must be filed by 9/2/93. (2) dist'd 4/29/93; dkt'd 4/30/93 RBM/amy				
MAY 5	ORDER...that Defendant George Aubin's Motion to Dismiss Indictment and to Strike Prejudicial Surplusage or Grant a Bill of Particulars, filed 3/15/93, is denied. (5) dist'd 5/5/93; dkt'd 5/10/93 RBM/amy				

Interval
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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1993</u>					
AUG 16	ORDER...this case is continued to the Jury Trial docket at 9:00 a.m. on 11/1/93. Requested voir dire questions, proposed jury instructions, witness lists, exhibit lists and copies of exhibits, and motions in limine must be filed by 10/28/93. (2) dist'd/dkt'd 8/18/93 RBM/amy				
OCT 19	ORDER RESETTING TRIAL...defendant Richard Fuqua has filed a motion to reset the trial in this case...it is therefore ordered that this case is reset to the jury trial docket on 1/4/94 at 9:00 a.m. Requested voir dire questions, proposed jury instructions, witness lists, and exhibit lists must be exchanged and motions in limine must be filed no later than 12/30/93. It is further ordered that the Defendant Fuqua's Second Motion for Continuance, filed 10/6/93, is granted. (2) dist'd 10/19/93; dkt'd 10/22/93 RBM/amy				
DEC 3	ORDER SETTING PRETRIAL CONFERENCE...a pretrial conference is scheduled for 12/30/93 at 9:00 a.m. dist'd 12/3/93; dkt'd 12/8/93 RBM/amy				
DEC 30	Government's Witness List. (6) amy Government's Exhibit List. (11) amy Government's Proposed Voir Dire Questions. (10) amy Government's Motion in Limine to Prevent Reference to Irrelevant Matters and Brief in Support. (8) amy Government's Requested Jury Instructions. (15+) amy				
DEC 30	MO...hearing on motions; pretrial conference held. amy Sealed document. amy Defendant's Exhibit List. amy Defendant's Requested Voir Dire Questions. amy Defendant's Witness List. amy Defendant's Response to Government's Motion in Limine. amy Defendant's Requested Jury Instructions. amy				
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		(a)	(b)	(c)	(d)
<u>1993</u>	(Document No.)				
DEC 30	Defendant's Motion in Limine. amy				
<u>1994</u>					
JAN 3	Transcript of Pretrial Motions on 12/30/93 before Robert B. Maloney. amy				
JAN 5	ORDER RESETTING TRIAL...ordered that this case is reset to the jury trial docket on 5/2/94 at 9:00 a.m. Requested voir dire questions, proposed jury instructions, witness lists, and exhibit lists must be exchanged and motions in limine shall have been filed by 12/30/93. It is further ordered that Defednant's Fuqua's Joint and Uncon ested Motion for Continuance of Trial Setting, filed 12/9/93 and Defendant Fuqua's Supplement to the motion, filed 12/14/93 is granted. (2) dist'd 1/5/94; dkt'd 1/7/94 RBM/amy				
	Sealed document. amy				
JAN 14	Government's Response to Defendant Aubin's Motion in Limine. (14) amy				
Jan 21	Suppl. To Governemtn's Mtn for In Camera Review SEALED. dla				
JAN 31	SEALED ORDER RBM/dla				
FEB 3	ORDER...dfts' responses to Gov't application for leave to take depo must be filed on or before 2/7/94 RBM/dla dis'd 2/3 dkt'd 2/11				
FEB 14	ORDER GRANTING APPLICATION FOR LEAVE TO TAKE DEPO : OVERRULING OBJ TO FUQUA'S LETTERS ROGATORY REQUEST...Ordered taht Govt's Obj to DFt's Fuqua's Letters Rogatory Request filed 1/28/94 is over-ruled. Further ordered that Dist Clerk shall release this orig order & the orig Request for Intl' Judicial Assist. to the US for tranmission to the Cayman Islands & shall substitute cert copies to be maintained in place of orig. dist'd 2/15 dkt'd 2/16 RBM/dla				
MAR 14	ORDER...granting pla's Motion for Appropriate Relief. dkt'd 3/15 dist'd 3/14 RBM/dla				

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1994	(Document No.)				
MAR 15	ORDER...granting pla's Motion for scheduling Cnf & setting scheduling cnf for 4/7/94 at 9am. RBM/dla dist'd 3/15 dkt'd 3/15				
APR 7	MO...Hearing on Motions. Attys had filed M/Sched Problems. Court discussed plans to call cases as follows: (1) US/Stein, (2) US/Wilson (3) US/Aubin & Fuqua, (4) US/Wilson #2 (5) Putnam & Brandford + 4 closes w/#1 settings. dla				
APR 11	ORDER...setting pretrial cnf for 4/28/94 at 9:30am dis't 4/13 dkt'd 4/13 RBM/dla				
APR 25	Pla's Substitution of Gtv't Counsel, replacing J Steve Hinkle w/John Hinton III				
May 6	Govt's Exhibit List & Govt Proffer of Conspiracy Evidence. dla				dla.
MAY 9	Dft's Motion for Continuance dla				
MAY 10	PRELIMINARY CONSPIRACY FINDINGS...(refer to original order for specifics) RBM/dla dkt'd 5/10 dis't 5/10				
May 10	Jury Roll dla ORDER...denying dft's Motion for Continuance & denying dft Fuqua's Motion to Compel. RBM/dla dist'd 5/10 dk'td 5/10				
	ORDER...denying Fuqua's Suppl Motion for Severance RBM/dla dkt'd 5/10 dis't 5/10				
	ORDER... denying Fuqua's Motion for Severance RBM/dla dkt'd 5/10 dist' 5/10				
MAY 11	Pla's Suppl Notice of Intent to Request Judicial Notice dla				
MAY 9	MO...Day 1 of Jury trial. Pretrial Cnf held prior to trial. dla				
MAY 10	MO...Day 2 of jury trial. Jury selected & sworn, and voir dire begins. Jury trial held. dla				
MAY 11	MO...Day 3 of jury trial held. dla				
MAY 12	MO...Day 4 of jury trial held dla				

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		(a)	(b)	(c)	(d)
<u>1994</u>	(Document No.)				
MAY 16	Dft's REquested Jury Instructions re: Certification of Nonforeign Status dla				
	Dft's Motion & Incorp Memo for Prod of James Hague's Draft Affidavits & Rela- ted Materials dla				
	ORDER...denying dft's motion to suppress RBM/dla dkt'd 5/17 dist'd 5/17				
MAY 17	Dft's Motion & Incor Memo to Compel intro- duction of deposition Testimony Pursuant to Fed. R. Evid. 106 dla				
MAY 16	MO...day 5 of jury trial dla				
MAY 23	Dft's Request for Intro of George Aubin's Depo testimony Pursuant to Rule 106 dla				
MAY 23	Dft's Motion for Jgm of Acquittal dla				
	Dft's Motion for Jgm of Acquittal on Count 2 dla				
MAY 17	MO...6th Day of Jury trial. dla				
MAY 18	MO...7th Day of jury trial dla				
MAY 20	MO...8th Day of jury trial dla				
MAY 23	MO...9th day of jury trial dla				
MAY 24	MO...10th day of jury trial dla				
MAY 25	MO...11th day of jury trial dla				
MAY 26	MO...day 12 of jury trial dla				
MAY 31	MO...13 day of jury trial dla				
JUN 1	ORDER...Warden of FCI in Ft Worth TX is ordered to release inmate Jarrett E Woods Jr to Special Agents of IRS or FBI for purpose of testifying in proceeding 6/1/94. Inmate to be returned to correc- tional facility at conclusion of proceeding. RBM/dla dkt'd & dis'td 6/1/94				

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
<u>1994</u>					
JUN 2	Dft's Renewed Motion for jgm of acquittal dla				
JUN 1	MO...Day 14 of Jury trial dla				
	ORDER...Warden of FCI in Ft Worth TX is ordered to release inmate Jarrett E Woods Jr to Special Agents of the IRS or FBI for purpose of testifying in proceeding on 6/2 & 6/3/94. Inmate to be returned to correctional facility at conclusion of proceeding. RBM/dla dkt'd & dis't 6/2/94				
JUN 2	MO...Day 15 of Jury Trial. Juror J Duck did not get here until 11am (his wife was ill). Jurors to return at 9:30 tomorrow for final arguments dla				
JUN 3	JURY NOTES dla				
	MO...Day 16 of Jury Trial. Evidence concluded, Fnl arguments, Court's charge to jury, jury deliberating, Jury verdict rendered. Jury trial ends. Sentencing set for 9/1/94 at 3pm. Jury deliberated from 3:45 bringing in verdict at 10pm (dft Aubin found guilty on cts 1,2,5; dft Fuqua found no guilty on all counts) dla				
JUN 6	VERDICT OF JURY dla				
	SCHEDULING ORDER...presentence report due 7/14/94; objs to presentence report or statement adopting report due 7/25/94; if objs deliverd, prob must disclose addendum by 8/8/94; objs to this addendum due by 8/15/94 Sentencing hrg set for 9/1/94 at 3pm RBM/dla dkt & dist'd 6/7/94				
	Court's Charge to the Jury RBM/dla				
JUN 8	Memo to File from JT: Trial exhibits May & June, '94 ; Reporter: S. Engledow (in 3 redweld folders) To the Clerk on 6/8/94 dla				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1994</u>					
JUN 10	ORDER...declaring moot dft's Fuqua's Motions for Jgm of Acquittal filed by Fuqua on 5/23/94, 5/25/94, & 6/3/94 RBM/dla dis't 6/10 dkt'd 6/13 ORDER...granting in part motion to compel introduction of Fuqua's & Aubin's Depo testimony (refer to orig order for specific's) RBM/dla dis't 6/10 dkt'd 6/13				
JUN 14	Dft's Unoppsed Motion for Extension of Time to file post Trial Motions dla Dft's Post-Verdict Motion for Jgm of Acquittal & Motion for New Trial dla ORDER...granting Aubin's Unopposed Motion for extension of time to file Post-Trial Motions, to be filed by 6/30/94. Govt's response to motions & Aubin's previous motions for acquittal shall be due 6/30/94 JAS/dla dis't 6/16 dkt'd 6/20				
JUN 20	DFT'S Amd Post-Verdict Motion for jgm of Acquittal & Amd Motion for New Trial dla				
JUN 28	Pla's Motion to Substitute Exhibits dla				
JUN 30	Pla's Opposition to Dft's Amended Post-Verdict Motion for Jgm of Acquittal & Amended Motion for New Trial dla				
JUL 1	ORDER...granting pla's request to substitute copies of various orig tax returns & records used as exhibits. Pla to file a report of the exhibits which were replaced. RBM/dla dkst 7/7/95 dis't 7/5/94				
JUL 8	Pla's Suppl Opposition to Dft's Amd Post Verdict Motion for Jgm of Acquittal & Amd Motion for new trial dla				
JUL 14	Memo to file; Released original Exhibits A1, A3-A7 to Craig A Tucker to be copied & substituted dla				
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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1994</u>					
JUL 14	Joint Motion by Aubin & Fuqua for Leave to Interview Jurors dla				
JUL 15	SUBSTITUTED exhibits returned dla				
JUL 18	Pla's Opposition to Joint Motion for Leave to Interview Jurors dla				
Jul 20	Report to Court (Govt) gs				
JUL 29	Dft's Reply to PLA's Opposition to dft's Amd Post-Verdict Motion for Jgm of Acquittal & Amd Motion for New Trial dla				
AUG 1	ORDER...granting Jt. Motion for Leave to Interview Jurors. Ordered that Clerk shall forward a copy of this order to ea juror empaneled to sit in this matter. RBM/dla dkt'd & dis'td 8/1 ORDER...denying dft's Motion for Jgm of Acquittal & for New Trial RBM/dla dkt'd & dis'td 8/1				
Aug 25	Govt's sentencing memorandum. cm				
Sept 1	Deft Aubin's motion to continue sentencing. cm				
Sept 6	REVISED SCHEDULING ORDER...The sentencing hearing is reset to 10/13/94 1:00 pm...No other scheduling deadline is extended by this order. Dist 9/12/94 Dkt'd 9/23/94 RBM/cm				
Oct 6	Supplement to govt's sentencing memorandum. cm				
Oct 11	Deft Aubin's sentencing memorandum and response in opposition to govt's sentencing memorandum and supplement to sentencing memorandum. cm				
Oct 11	Deft Aubin's motion to continue conditions of release pending appeal. cm				
Oct 12	DEFENDANT GEORGE AUBIN'S MOTION FOR RECONMSIDERATION OF ORDER DENYING MOTIONS FOR JUDGMENT OF ACQUITTAL AND FOR NEW TRIAL. gs				
Oct 13	M.O. Sentencing held on Cts 2&5 deft CBOP for a term of 60 mths on Ct 1 and 5 yrs on Cts 2&5 and sentence in cts 2&5 to run cc with Ct 1 sentence. Rest in amount of \$43,773,552. \$100 MSA. Deft to remain on Bond. CR Sue Engledow.				
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		(a)	(b)	(c)	(d)
	(Document No.)				
<u>1994</u>					
Oct 14	ORDER DENYING DEFT GEORGE AUBINS'S MOTION FOR RECONSIDERATION OF ORDER DENYING MOTIONS FOR JUDGMENT OF ACQUITTAL AND FOR NEW TRIAL... motion filed on October 12, 1994 is DENIED. Dist 10/17/94 dkt 10/21/94 RBM/g				
Oct 17	ORDER GRANTING MOTION TO CONTINUE CONDITIONS OF RELEASE PENDING APPEAL... that deft Aubin's motion for release pending appeal is GRANTED (see order for all specifics) upon the failure of deft to post an acceptable bond he will report to the designated institution by 2:00 pm on 11/10/94 Dist 10/18 dkt 10/21/94 RBM/g				
Oct 20	JUDGMENT IN A CRIMINAL CASE (For offenses committed after <u>November 1987</u>) On ct 1 deft sentenced to 60 months CBOP; found N.G. on Cts 3&4. MSA \$50.00 Supervised Release for a term of 3 yrs with spec conditions. Dist to all. Judge RBM. Sentencing on 10/13/94 entered on docket on 10/21/94. RBM/g				
	JUDGMENT IN A CRIMINAL CASE (For offenses committed prior to <u>November 1987</u>) Deft found guilty on Cts 2 & 3 and Cts 3&5 N.G. and deft is sent to COAG for a term of 5 yrs on Cts 2 & 5 to Run concurrently with each and other and to sentence in Ct. 1 (of 5 years) MSA of \$100.00. Dist to all. Judge RBM. Sentenced on 10/13/94 entered on docket on 10/21/94. RBM/g				
Oct 21	NOTICE OF APPEAL from judgments and conviction, sentence and order of restitution and deft expressly appeals the incorrect application of the US Sentencing guidelines and the imposition of all sentences on violation of the law. Cpy to Judge, AUSA, PT, PB USM. Fee paid \$105.00 TO to Cnsl. gs				
	Mailed certified copies of notice and dkt entries to USCA5. gs				
Oct 21	1 envelope of MATERIALS UNUSED IN SENTENCING. (Placed in file) gs				
Nov 2	Exhibits removed from exhibit room and with Court Reporter Sue Engledow. gs				
Nov 4	DEFENDANT GEORGE AUBIN'S MOTION FOR APPROVAL OF SURETY BOND AND CONDITIONS OF RELEASE. gs				
	SEE REMOVED FROM FILE				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1994</u>					
Nov 9	AMENDED ORDER GRANTING MOTION TO CONTINUE CONDITIONS OF RELEASE PENDING APPEAL..... Deft motion is granted and the deft shall post an acceptable Surety Bond or Certificate of Deposit in the amount of \$50,000; upon the failure of the deft to post bond he will report to the designated institution by 2:p.m. on 11/10/94. Dist 11/10/94 dkt 11/14/94. RBM/g				
Nov 10	Appeal Bond.. in the amount of \$50,000. gs				
	ORDER SETTING CONDITIONS OF RELEASE... the deft cannot travel outside the State of Texas except for travel with the continental US and Hawaii for business purposes only and report to Pretrial Svs on a regular basis and execute an acceptable Surety Bond or Certificate of Deposit in the amount of \$50,000. Dist 11/10/94 Cpy to Judge and Magistrate. gs				
Nov 18	ORDER FROM USCA5... Under local rule 412.3 is DISMISSED for want of prosecution for failure of appellant to order transcript and make financial arrangements. Cpy to Judge. gs				
Nov 23	T.O. ORDERED Jury Trial proceedings May 9 through June 6, 1994 by Michael Maness Cnsl. for deft. gs				
<u>1995</u>					
Jan 27	TRANSCRIPT OF PRETRIAL MOTIONS proceedings held on May 9, 1994 before the Hon. Robt. B. Maloney submitted by Sue Engledow Vol I gs				
	TRANSCRIPT OF PROCEEDINGS held on May 10, 1994 before the Hon. Robt. B Maloney, submitted by Sue Engledow Vol II gs				
	TRANSCRIPT OF PROCEEDINGS HELD ON May 11, 1994 before the Hon. Robt. B Maloney, submitted by Sue Engledow. Vol III gs				
	TRANSCRIPT OF PROCEEDINGS held on May 12, 1994 before the Hon. Robt. B. Maloney, submitted by Sue Engledow Vol IV. gs				
	TRANSCRIPT OF PROCEEDINGS HELD on May 16, 1994 before the Hon. Robt. B. Maloney, Submitted by Sue Engledow. Vol V. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 17, 1994 before the Hon. Robt. B. Maloney, submitted by Sue Engledow Vol VI. gs				
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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1995 Jan 27	TRANSCRIPT OF PROCEEDINGS held on May 18, 1994 before the Hon. Robt. B Maloney Vol VII gs				
	TRANSCRIPT OF PROCEEDINGS held on May 20, 1994 before the Hon. Robt. B. Maloney Vol VIII. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 24, 1994 before the Hon Rob. B. Maloney Vol X. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 23, 1994 before the Hon. Robt. B Maloney Vol IX submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 25, 1994 before the Hon. Robt. B Maloney Vol XI submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 26, 1994 before the Hon. Robt. B Maloney Vol XII submitted by Sue Engledow.				
	TRANSCRIPT OF PROCEEDINGS held on May 31, 1994 before the Hon. Robt. B. Maloney Vol XIV submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on June 1, 1994 before the Hon. Robt. B Maloney Vol XIV submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on June 2, 1994 before the Hon. Robt. B Maloney Vol XVI submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on June 3, 1994 before the Hon. Robt. B. Maloney Vol XVI submitted by Sue Engledow. gs				
	TRANSCRIPT OF PROCEEDINGS held on October 13, 1994 Sentencing before the Hon. Robt. B Maloney submitted by Sue Engledow				
Feb 15	TRANSMITTED RECORD ON APPEAL TO USCA5 consisting of 3 vols of original case papers; 18 vols of Transcripts; 1 envelope of Material used in Sentencing; 1 Envelope SEALED containing 4 sealed pldgs; 1 PSI SEALED and 1 box of exhibits. gs				
Jun 6	TRANSCRIPT OF VOIR DIRE BEFORE THE HON. ROBT. B. MALONEY on May 10, 1994 submitted by Sue Engledow. gs				
	TRANSCRIPT OF COURT'S CHARGE & ARGUMENTS BEFORE THE HON. ROBT. B MALONEY as submitted by Sue Engledow CR. gs				
Jun 6	MTN TO SUPPLEMENT RECORD GRANTED AT USCA5.	Interval (per Section III)	Start Date End Date	Ltr. Code	Total Days

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1995</u>	(Document No.)				
Jun 7	TRANSMITTED SUPPLEMENTAL RECORD ON APPEAL CONSISTING OF 2 vols of TRANSCRIPT FILED On 6/6/95 with updated copy of docket sheet. gs				
Jul 20	ORDER FROM USCA5...that the unopposed motion of appellant to clarify and modify unopposed motion for extension of time to file his brief is DENIED. Cpy to Judge. gs				
Aug 2	TRANSMITTED SUPPLEMENTAL RECORD TO USCCA5 consisting of 3 vols of Co-deft Fuqua pleadings and 1 vol of 1 pleading under separate cover for a TOTAL of 4 vols, 1 envelope SEALED of PSI information received from Probation, with updated docket entries. gs				
Sep 12	Received letter from USCA5 that the appellee's unopposed motion to supplement the record is GRANTED (suppl docs supplied to USCA5 by Appellee) gs				
<u>1996</u>					
Feb 22	TRANSMITTED TO USCA5 <u>3RD</u> SUPPLEMENTAL RECORD ON APPEAL consisting of 3 vols of case papers of co-deft Fuqua for purposes of appeal of George Aubin and as requested by deft counsel.				
Mar 21	TRANSCRIPT FILED of proceedings of Petrial held on 4/28/94 before Judge Maloney and submitted by Sue Engledow. gs				
Mar 22	Transmitted to USCA5 <u>4th</u> SUPPLEMENTAL RECORD ON APPEAL consisting of 1 vol of transcript of pretrial proceedings with updated docket entries. gs				
May 14	Abstract of Judgment in favor of the USA against George Aubin in the amt. of \$43,773,552.25. (iss-2) lh filed by U S Atty Finan Litigation Unit				
Jul 26	USA Passport #G321377 of George J. Aubin returned to Department of State (expired; more than one year since conviction) nbs				
Sep 3	DFT GEORGE AUBINS'S MOTION FOR NEW TRIAL PURSUANT TO RULE 33 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE BASED ON NEWLY DISCOVERED EXCULPATORY EVIDENCE. 15+ (Und sepearate cover) gs				
Sep 3	MOTION FOR LEAVE TO APPEAR PRO HAC VICE. (2) (Atty Samuel Buffone) gs				
Sep 6	GOVERNMENT'S UNOPPOSED MOTION FOR ENLARGEMENT OF RESPONSE TIME klm				
Sep 9	ORDER...govt's unopposed motion is granted. The govt shall have until 9/27/96 to file its response. cy to Judge RBM/klm				
Interval (per Section II)		Start Date	End Date	Ltr. Code	Total Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

GEORGE AUBIN

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Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1996</u>	(Document No.)				
Sep 9	ORDER PROVISIONALLY GRANTING MOTION TO APPEAR PRO HAC VICE... motion filed by Mr. Buffone on 9/3/96 is provisionally granted. IT IS FURTHER ORDERED that Buffone shall become familiar w/the Local Rules. cy to Judge RBM/klm				
Sep 27	GOVERNMENT'S MOTION TO EXCEED PAGE LIMITS. (4) gs				
Oct 1	ORDER GRANTING GOVT'S MOTION TO EXCEED PAGE LIMITS AND DIRECTING CLERK TO FILE GOVT'S OPPOSITION... ... the motion is GRANTED. RBM/gs Dist 10/2/96				
Oct 1	GOVERNMENT'S OPPOSITION TO DEFT AUBIN'S MOTION FOR NEW TRIAL PURSUANT TO RULE 33 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE BASE ON NEWLY DISCOVERED EVIDENCE. 15+ Und Sep cover. gs				
Oct 9	DEFENDANT GEORGE AUBIN'S MOTION FOR LEAVE TO FILE A REPLY TOTHE GOVT'S OPPOSITION TO HIS MOTION FOR NEW TRIAL. gs				
Oct 16	DEFENDANT GEORGE AUBIN'S REPLY TO THE GOVERNMENT'S OPPOSITION TO HIS MOTION FOR NEW TRIAL PURSUANT TO RULE 33 OF THE FEDERAL RULES OF CRIMINAL PROCEDURE klm ORDER GRANTING DEFENDANT'S MOTION FOR LEAVE... dft's motion for leave to file a reply to govt's opposition filed 10/9/96 is granted. The District Clerk is directed to file the reply that accompanies this order. dist. 10/16/96; dkt'd 10/17/96 RBM/klm				
Oct 24	ORDER DELAYING RULING... the court has determined that it will not rule on deft's Mtn for a new trial while his appeal is pending. Dist 10/24 dkt 10/28/96 RBM/gs				
Oct 28	ORDER from USCA5... that the motion of appellant for stay of the issuance of the Mandate pending petition for writ of certiorari is DENIED. Cpy to judge gs				
Oct 28	Filed JUDGMENT OF USCA5 issued as and for the Mandate ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment in this cause is AFFIRMED Cpy to Judge 1 cc to PB PT USM. gs				
	Filed OPINION OF USCA5 Cpy to Judge gs				
Oct 28	File to be returned at a later date. gs				

Interval
(per Section 11)Start Date
End DateLtr. Total
Code Days

AO 256A

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1996</u>					
Nov 4	Record returned from USCA5 consisting of 5 vols of case papers; 4 vols of co-def't Fuqua papers; 1 vol of motion filed at USCA5 returned here;23 vols of transcripts; 3 vols of supplemental case papers; 5 sealed pldgs; 1 env of materials used in setencing (with file) and 1 env containg 3 pldgs filed at USCA5 (with file) and 1 PSI. PSI shredded. 1 Box of Exhibits to be returned to Govt.	gs			
Nov 19	Attorney Robt. Webster office called to pick up exh.	gs			
Nov 20	Receipt for Exhibits 1 box of Govt Exhibits signed for and received by Dorothy Nunez AUSA Sec.	gs			
Nov 25	ORDER... denying motion for new trial pursuant to Rule 33 of the Federal Rules of Criminal Procedure based on Newly Discovered Exculpatory Evidence filed by dft George Aubin on 9/3/96...ctj, dist 11/25/96 RBM/jyg				
Nov 25	ORDER... it is ordered that dft Aubin shall report to the designated institution on 1/9/97 by 2:00 pm. ctj, dist 11/25, dkt'd 12/5/96 RBM/jyg				
Dec 5	NOTICE OF APPEAL by George Aubin from order denying motion for a new trial entered on 11/25/96. Filing fee \$105.00, Receipt #87385. Copy to Judge, AUSA, PT, PB USM. TO to counsel (2) jyg				
	Notice of appeal and certified copy of docket sheet as to George Aubin to USCA jyg				
Dec 31 **	TRANSMITTED RECORD ON APPEAL TO USCA5 consisting of 6 volumes of original case papers; 21 volumes of transcripts; 1 envelope of material used in sentencing; 1 PSI sealed; 1 envelope of motion to supplement record on appealed filed w/USCA. 2 boxes jyg				
Dec 16 **	Transcript Order form filed. No hearings jyg				
<u>1997</u>					
JAN 10	Mt by dft George Aubin to delay reporting date lmn				
JAN 10	Mt by dft George Aubin for release pending petition for certiorari lmn				
JAN 10	Notice of entry of appearance of counsel by John Nation for dft George Aubin lmn				
JAN 17	Order denying mt to delay reporting date dst'd 1/21/97RBM/lmn				
JAN 17	Order denying mt for release pending petition for certiorari dst'd 1/21/97 RBM/lmn				
SEE NEXT PAGE					

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs GEORGE AUBIN

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Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1997</u>	(Document No.)				
APR 10	ORDER FROM USCA5...Motion to supplement the record is granted. Appellant's motion to obtain copies of briefs filed in previous appeal 94-10954 is granted; motion to unseal and obtain sealed pleading is denied; motion to view PSI is granted; and Motion for extension of time to file brief is granted. cpy to judge svc				
APR 14	MOTION TO RELEASE BOND svc				
MAY 2	TRANSMITTED 1 box of exhibits to USCA5 svc				
Apr 30	Certificate of Conference and Amended Certificate of Service. bjj				
May 1	ORDER Granting Motion to Release Bond w/Instructions to the Clerk. dist 5/2/97 copy to fin. RBM/bjj				
MAY 21	TRANSMITTED 1 box of exhibits to USCA5 svc				
<u>1998</u>					
FEB 10	OPINION OF USCA5(CC)...Judgment appealed is AFFIRMED cpy to judge svc				
	JUDGMENT OF USCA5(cc)...Judgment of DC is affirmed. ISSUED AS MANDATE: 2-6-98 cpy to Judge, USM,PB svc				
	RECORD ON APPEAL RETURNED FROM USCA5 consisting of 6 vols of case papers; 21 vols of transcripts; 1 envelope of matl used in sentencing; 1 envelope of motion to supplement record; 2 boxed of exhibits and PSI. (PSI Destroyed) svc				
Feb 17	Government's Exhibits returned rrj				
Feb 18	MOTION by George Aubin to vacate under 28U.S.C. 2255 (11) ldf				
Feb 18	Motion referred to Magistrate Judge Boyle as to George Aubin: motion to vacate under 28 U.S.C. 2255 ldf				
Feb 18	2255 papers referred to Magistrate Judge Boyle 3:98cv425-T ldf				
Mar 6	ORDER AND INSTRUCTIONS TO PARTIES IN A MOTION UNDER 28 U.S.C SECTION 2255...The US Attorney shall not be required to answer this motion or otherwise move with respect to it except on further Order of the Court. (cc: AUSA, pet 3/6/98) ldf				

Interval
(per Section II)

Start Date
End Date

Ltr. Total
Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1998 cont.					
Mar 13	Findings, Conclusions and Recommendation...because movant filed his petition well after one year limitations period allocated for habeas claims under the AEDPA, his claims are barred and should be summarily denied w/prejudice. JJB/bjj File is in suspense.				
MAR 23	DESTROY EXHIBITS LETTER MAILED. Exhibits will be destroyed if not picked up by 5-22-98 svc				
Mar. 26	Copy File sent to Chambers. bjj				
MAR.24	Movant's Objection sto Findings of FACT and Conclusions of Law jm				
APR 28	Order Sustaining Movant's Ovjections and REferring Case to Magistrate Judge jm				
May 12	Order and Instructions to parties in a motion under 28 USC SECTION 2255. AUSA shall answer the motion w/in 60 days. 2255 papers referred to Judge Boyle (Signed by Judge Boyle) rrj				
Interval (per Section II)		Start Date End Date	Ltr. Code	Total Days	

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs Aubin, George J.

AO 256A •

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Yr.

Docket No.

Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1998	****Original Docket Sheet Missing****				
Mar 24	Notice to the Magistrate Judge and Request to Amend Filing & Delay by Dft. bjj				
Mar 24	Movant's Objections to Findings of Fact and Conclusions of Law Rendered by the United States Magistrate. bjj				
Apr 28	ORDER Sustaining Movant's Objections and Referring Case to Magistrate Judge. RBM/bjj				
May 21	Dft Exhibit returned to cnsl. bjj				
July 7	Governt's Motion for Enlargement of time to respond to movant's mtn to vacate, set aside or correct sentence alh				
July 10	Movant's Amendment to Sect 2255 Pleadings alh				
July 13	ORDER...Govt's mtn for enlargement of time is granted; US' answer to movant's Sect 2255 mtn, & any mtn by US included in its answer, shall be filed no later than 8/12/98. Dkt'd & Dist'd 7/14/98 JJB/alh				
Aug 12	Respondent United States' Answer in Opposition to Petitioner's Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 USC Sect 2255 alh				
Sept 4	Entry of Appearance of Counsel...John D Nation enters appearance for George J Aubin in his mtn to vacate sentence pursuant to 28 USC 2255. (2650 Maxus Energy Tower, 717 N Harwood LB 126, Dallas, TX 75201) alh				
Sept 4	Motion for Leave to File Amended Motion to Vacate Sentence Pursuant to 28 USC Sect 2255 by movant alh				
Sept 11	ORDER...Movant is granted leave to file amended motion to vacate sentence on or before 11/5/98. Dist'd & dkt'd 9/14/98 JJB/alh				
Nov 3	Movant's Motion for Extension of Time to File Amended Motion to Vacate Sentence alh				
Nov 5	ORDER...Movant's motion for extension of time is granted. Movant is granted leave to file his amended mtn to vacate sentence on or before 11/27/98. Dist'd 11/5/98 JJB/alh				
SEE NEXT PAGE					

Interval
(per Section II)Start Date
End DateLtr. Total
Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

George J. Aubin

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1998</u>					
Nov 30	Movant's Amended Motion to Vacate Sentence Pursuant to 28 USC Sect 2255 alh				
<u>1999</u>					
Feb 1	Supplemental Response of the US to Deft's Amended Motion to Vacate Sentence alh				
<u>2000</u>					
Jul 6	FINDINGS, CONCLUSIONS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE...Recommended that mtn to correct, vacate or set aside sentence be denied. JJB/alh Dist'd & dkt'd 7/6/00.				
Jul 24	Petitioner's AGREED MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO MAGISTRATE'S FINDINGS alh				
Aug 7	Order granting motion for extension of time to file objections. It is further ordered that movant file his objections to the magistrate judge's findings on or before 8/18/00. RBM/djd Dist'd & dkt'd 8/8/00 (2 pages)				
Aug 14	OBJECTIONS to the Findings and Recommendation of the U S Magistrate Judge filed by movant George Aubin lh				
OCT 26	SEALED DOCUMENT svc				
	SEALED DOCUMENT svc				
Nov 13	Movant's Supplement, Objections, Amendments & Other Matters Relevant to Motion to Vacate Pursuant to 28 USC Sect 2255 alh				
Aug 16	Movant's Petition under Habeas Corpus Article 1 Sect 9 Clause 2, Sect 1651, Sect 2241 & 2243; Mtn to priortize issues herein as dispositive to all issues incorporating by reference this petition in pending Sect 2255 mtn for purposes of objection & amendments; As response & objections to findings, conclusions & recommendations of Magistrate Judge Boyle; Mtn to expand time for objections & response until 9/11/00 alh				
Oct 23	Petition for Writ of Habeas Corpus (per Judgment Order 11/27/00; 3:00-cv-2332-H) (15+) yrw				
Dec 7	Movant's Emergency Mtn to Supplement 2255 Mtn (Joint pleadings for purposes enumerated) (15+) jas				

Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days
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UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs GEORGE J AUBIN

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AO 256A

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
2001 APR 4	ORDER ADOPTING MAG JUDGE'S REPORT dkt/dist 4-4-01 RBM:svc				
	FINAL JUDGMENT...Motion to vacate is denied with prejudice; Petition for writ of habeas corpus is denied with prejudice. dkt/dist 4-4-01 RBM:svc				
APR 23	MOTION TO RECONSIDER AND WITHDRAW ORDER, OR ALTERNATIVELY STAY THE COURTS ORDER ENTERED 04-4-01(15+) jyg				
APR 25	ORDER...Denying motion to reconsider in all things dkt/dist 4-26-01 RBM:jyg				
JUN 22	NOTICE OF APPEAL from the deniel of motion to vacate the Motion to vacate. no fee pd/TO mailed svc				
Jun 23	SUPPLEMENTAL NOTICE OF AND INTENT TO APPEAL no fee pd/TO Mailed svc				
Jun 26	Transmitted NOA's to USCA5 svc				
Jul 5	USCA5 Appeal fee pd Recp 152528				
	ORDER & NOTICE OF DEFICIENCY ...See order for specifics dist 7-5-01/dkt 7-9-01 JJB:svc				
ENTERED IN CRIMINAL ICMS					

Interval Start Date Ltr. Total
(per Section II) End Date Code Days

NO ☐ 0539 03 3919 ☐ JUVENILE ☒ FUQUA, Richard
Misd. ☐ ☐ ALIAS
Felony ☐ District Off Judge/Magistr. OFFENSE ON INDEX CARD
Date Filed 2/24/93 Code No. 00057 02
No of Def's 02 U.S. Case No. 301994

I. CHARGES

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS	DISM
18:371	Conspiracy (ct. 1) (9/84-12/90)	1	<input checked="" type="checkbox"/> NG
18:1344; 2	Bank Fraud (ct. 2) (9/84-7/90)	1	<input checked="" type="checkbox"/> NG
18:1006; 2	False Entries (ct. 3 & 4) (10/19/84)	2	<input checked="" type="checkbox"/> NG
18:1343; 2	Wire Fraud (ct. 5) (9/84-12/84)	1	<input checked="" type="checkbox"/> NG

II. KEY DATE

INTERVAL ONE	END ONE AND/OR BEGIN TWO (OR RESTART PERIOD T/ TRIAL)	END INTERVAL TWO
KEY DATE EARLIEST OF 1st appears with or waives counsel	KEY DATE 2/24/93 APPLICABLE 1st Trial Ended	KEY DATE 5-10-94 APPLICABLE 2nd Trial Began
ARRAIGNMENT	RE TRIAL	DISPOSITION DATE 5-10-94
SENTENCE DATE		FINAL CHARGES DISMISSED on def motion on gov't motion

III. MAGISTRATE

Search Warrant	Issued	Return	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	PRELIMINARY EXAMINATION OR REMOVAL HEARING	DATE	INITIAL/NO.	OUTCOME
Arrest Warrant Issued	2/24/93								
COMPLAINT									
Date of Arrest	OFFENSE (In Complaint)								

Show last names and suffix numbers of other defendants on same indictment/information:

George Aubin (1)
ATTORNEYS
U. S. Attorney or Asst.
Robert Webster, K. Lawson Pedigo, J. Steve Hinkle, Jona Hinton
Thomas B. Hamilton, Jr.

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

Defense: 1 <input type="checkbox"/> CJA. 2 <input checked="" type="checkbox"/> Ret. 3 <input type="checkbox"/> Waived. 4 <input type="checkbox"/> Self. 5 <input type="checkbox"/> Non / Other. 6 <input type="checkbox"/> PD. 7 <input type="checkbox"/> CD	Charles M. Meadows Jr. Kim Harris--(Co-Cnsl) Meadows Owens Collier Reed & Coggins 901 Main St., Suite 3700 Dallas, TX 75202 214 744-3700 Co-Cnsl: Robert J. Sussman Hinton Sussman & Bailey 5300 Memorial Dr., Suite 1000 Houston, TX 77007 713 864-4477	#35 Stillforest Houston, TX 77024 713 787-0382
FINE AND RESTITUTION PAYMENTS		
DATE	RECEIPT NUMBER	C.D. NUMBER
Docket Entries Begin On Reverse Side		
DATE	RECEIPT NUMBER	C.D. NUMBER
APPEALS FEE PAYMENTS		

RULE ☐ 20 ☐ 21 ☐ 40 ☐ In ☐ Out

BAIL • RELEASE

PRE-INDICTMENT

Release Date ☐ Bail Denied ☐ Fugitive ☐ Pers. Rec. ☐ PSA

AMOUNT SET \$ ☐ Conditions ☐ 10% Dep. ☐ Surety Bnd ☐ Collateral ☐ 3rd Prty ☐ Other

POST-INDICTMENT

Release Date 2/26/93 ☐ Bail Denied ☐ Fugitive ☒ Pers. Rec. ☒ PSA

AMOUNT SET \$ 13,000.00 ☐ Conditions ☐ 10% Dep. ☐ Surety Bnd ☐ Collateral ☐ 3rd Prty ☐ Other

DATE	DOCUMENT NO	MASTER DOCKET - MULTIPLE DEFENDANT CASE	PAGE	OF	EXCLUDABLE DELAY	Start Date End Date	Ltr Code	Total Days
		PROCEEDINGS DOCKET FOR SINGLE DEFENDANT						
		(OPTIONAL) Show last names of defendant(s)						
		V. PROCEEDINGS						
1993								
FEB 24		INDICTMENT (22).			AJF/amy			
		Warrant for Arrest Issued.			amy			
Feb 26		ORDER SETTING CONDITIONS OF RELEASE...PR bond. WFS/nbs surrender passport by noon 3/2/93 to District Clerk in Dallas cys: deft, ausa, usm, pt, cnsl						
		ENTRY OF APPEARANCE OF COUNSEL Charles M. Meadows Jr., Co-Cnsl Kim Harris, Co-Cnsl Robert J. Sussman, retained for deft. nbs cys: jduge, ausa, pt, pb, esther						
MAR 2		Receipt for Passport #130760486 for Richard Lee Fuqua. (placed in the sealed area) amy						
MAR 3		Defendant Richard Fuqua's Motion and Incorporated Memorandum to Modify Bond Conditions (4). amy						
MAR 4		PRETRIAL ORDER...the case is set for jury trial for 5/3/93 at 9:00 a.m.; pretrial motions by 3/15/93 and the responses by 3/22/93; requested voir dire questions, proposed jury instructions, witness lists, exhibit lists, and motions in limine by 4/29/93. Copies of exhibits shall be exchanged by that date. (1) dist/dkt'd 3/5/93 RBM/amy						
		MO...arraignment held on counts 1-5 of 5 count indictment; pre g/l; defendant enters a ngpl; trial set for 5/3/93 at 9:00 a.m.; bond continued; motions due 3/15/93; responses by 3/22/93; PT Order to issue; defendant's motion to modify bond to be referred back to magistrate (1).						
MAR 5		ORDER OF REFERENCE...motion and incorporated memorandum to modify bond conditions, filed 3/3/93 is referred to US Magistrate Judge Sanderson for hearing. (1) RBM/amy						
MAR 9		Defendant's Waiver of Speedy Trial (4). amy						
		Defendants Joint and Uncontested Motion for Revised Scheduling Order and Continuance of Trial Setting. (5) amy						
Mar 10		In re: Misc 1251A Grand Jury Matter - per Court Order of 3/10/93 in Misc. 1251A UNSEALING Misc 1251A Order of July 14, 1992 and placed in this file with copy of Misc. 1251A Order of this date. gs						
MAR 9		Return of Warrant for Arrest...arrested on 2/26/93 by Robert N. Betts, Special Agent FBI amy						
		SEE NEXT PAGE						
		CONTINUED TO PAGE 1						

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

RICHARD FUQUA

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Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1993 MAR 15	(Document No.)				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR LEAVE TO FILE ADDITIONAL PRETRIAL MOTIONS. SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM TO DISMISS SVC				
	DEFENDANT RICHARD FUQUA'S MOTIONFOR BILL OF PARTICULARS				
	DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTION FOR A BILL OF PARTICULARS SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM UNDER RULE 201 OF THE FED. RULE OF EVIDENCE FOR ADVANCE NOTICE OF ANY MATTER WHICH EITHER THE COURT OR THE GOVERNMENT MAY CONTEND IS APPROPRIATE FOR JUDICIAL NOTICE SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM TO AMEND MOTIONS OR FILE NEW MOTIONS UPON RECEIPT OF MATERIAL FROM THE GOVERNMENT SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR SPECIFICATION OF JURY SELECTION PROCEDURES SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR STATEMENTS OF ALLEGED INDICTED OR UNINDICTED CO-CONSPIRATORS SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR STATEMENTS OF ALLEGED INDICTED OR UNINDICTED CO-CONSPIRATORS SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR DISCLOSURE OF ALL EVIDENCE THE GOVERNMENT INTENDS TO OFFER PURAUANT TO RULE 405 SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR NOTICE BY GOVERNMENT OF INTENTION TO USE EVIDENCE SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR PRE-TRIAL DISCLOSURE OF ALL EVIDENCE WHICH THE GOVERNMENT INTENDS TO OFFER PURSUANT TO RULE 404(b) OF THE FED RULES OF EVIDENCE SVC				
	DEFENDANT RICHARD FUQUA'S MOTION AND INCORPORATED MEMORANDUM FOR EARLY RELEASE OF JURY INFORMATION SVC				
	DEFENDANT RICHARD FUQUA'S MOTION FOR SEVERANCE DUE TO PREJUDICIAL JOINDER SVC				
	DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTION FOR SEVERANCE DUE TO PREJUDICIAL JOINDER SVC				
	DEFENDANT RICHARD FUQUA'S MOTIONTO DETERMINE ADMISSIBILITY OF EXTRA JUDICIAL STATEMENTS OF ALLEGED CO-CONSPIRATORS AND FOR PRE-HEARING DISCLOSURE OF ANY SUCH STATEMENT THE GOVERNMENT INTENDS TO USE SVC				

Interval
(per Section II)Start Date
End DateLtr. Total
Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

RICHARD FUQUA

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1993 MAR 15	(Document No.) DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTIN FOR PRE-TRIAL HEARING TO DETERMINE THE ADMISSIBILITY OF EXTRA JUDICIAL STATEMENTS OF ALLEGED CO-CONSPIRATORS, AND FOR PRE-HEARING DISCLOSURE OF ANY SUCH STATEMENT THE GOVENMENT INTENDS TO USE <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTIONFOR DISCLOSURE OF AGREEMENT BETWEEN THE GOVERNMENT AND GOVERNMENT WITNESSES <div>SVC</div> DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF FOR DISCLOSURE OF AGREEMENT BETWEEN THE GOVERNMENT AND GOVERNMENT WITNESSES <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTIONFOR PRODUCTION AND INSPECTION OF GRAND JURY MINUTES <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTION FOR PRODUCTION OF JENCKS ACT MATERIAL <div>SVC</div> DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF PRETRIAL PRODUCTION OF ALL JENCKS ACT (18 U.S.C. §3500) MATERIAL <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTION FOR PRODUCITON AND INSPECTION OF EVIDENCE AND/OR INFORMATION WHICH MAY LEAD TO EVIDENCE <div>SVC</div> DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTION FOR PRODUCTION AND INSPECTION OF EVIDENCE AND/OR INFORMATION WHICH MAY LEAD TO EVIDENCE <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTION FOR DISCOVERY AND INSPECTION <div>SVC</div> DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTION FOR DISCOVERY AND INSPECTION <div>SVC</div> DEFENDANT RICHARD FUQUA'S MOTION FOR DISCLOSURE OF ELECTRONIC OR MECHANICAL SURVEILLANCE <div>SVC</div> DEFENDANT RICHARD FUQUA'S MEMORANDUM IN SUPPORT OF MOTION FOR DISCLOSURE OF ELECTRONIC OR MECHANICAL SUREVEILLANCE <div>SVC</div>				
Mar 16	ORDER DENYING DEFENDANTS MOTION FOR LEAVE TO FILE ADDITIONAL MOTIONS...dft mtn to amend mtn or file new mtn is denied. Dist3-16-93. <div>RBM/mr</div>				
Mar 18	AMENDED ORDER SETTING CONDITIONS OF RELEASE...\$25,000.00 unsecured bond; See Order for instructions re travel outside continental U.S. & for further specifics. WFS/nbs cys: judge, deft, ausa, usm, pt(2), cnsl APPEARANCE BOND \$25,000.00 unsecured att bond signed by surety Marilyn Fuqua <div>WFS/nbs</div> ORDER...On this date having changed & modified conditions of release, It is ORDERED that District Clerk's office return Deft's passport to him. <div>WFS/nbs</div> cys: judge, ausa, cnsl, pt(2), pb, usm, esther 3/22/93 ATA 3/23/93				

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<u>1993</u>	(Document No.)				
MAR 18	Receipt for Release of Passport. amy				
MAR 22	Government's Consolidated Response to Defendant Fuqua's Pretrial Motions. (15+) amy				
MAR 30	ORDER...that Defendant Richard Fuqua's Motion for Severance Due to Prejudicial Joinder, filed 3/15/93, is denied. (2) dist/dkt'd 3/31/93 RBM/amy				
APR 27	ORDER DENYING DEFENDANT'S MOTION TO DISMISS... defendant's motion to dismiss, filed 3/15/93 is denied. (3) RBM/amy				
APR 28	ORDER...this case is continued to the Jury Trial docket at 9:00 a.m. on 9/6/93. Requested voir dire questions, proposed jury instructions, witness lists, exhibit lists and copie of exhibits, and motions in limine must be filed by 9/2/93. (2) dist'd 4/29/93; dkt'd 4/30/93 RBM/amy				
APR 29	Defendant Fuqua's Preliminary Exhibit List. (4) amy				
	Defendant Fuqua's Preliminary Witness List. (3) amy				
	Defendant Fuqua's First Motion in Limine and Incorporated Memorandum. (8) amy				
	Defendant Fuqua's Motion and Incorporated Memorandum for Pre-Trial Disclosure of all Evidence Which the Government Intends to Offer against Defendant George Aubin Pursuant to Rule 404(b) of the FR of Evidence. (6) amy				
	Unopposed Motion and Incorporated Memorandum for Leave to Issue Subpoenas Duces Tecum and Require Pretrial Production of Documents Pursuant to Rule 17(c) of the FR of Criminal Procedure. (15+) amy				
	Defendant's Requested Jury Instructions. (15+) amy				
	Defendant's Rquested Voir Dire Questions. (12) amy				
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<u>1993</u>					
MAY 10	Government's Response to Defendant Fuqua's Motion for Leave to Issue Subpoenas Duces Tecum and Require Pretrial Production of Documents pursuant to Rule 17(c) of the FRCP. (6) amy				
	Government's Response to Defendant Richard Fuqua's First Motion in Limine. (7) amy				
	Government's Response to Defendant Fuqua's Motion for Pretrial Disclosure of FRE 404(b) Evidence Which the Government Intends to Offer Against Defendant Aubin. (6) amy				
MAY 18	ORDER...it is therefore ordered that Defendant Richard Fuqua's Motion for Leave to Issue Subpoenas Duces Tecum and Require Pretrial Production of Documents Pursunat to Rule 17(c) of the FRCP, filed 4/29/93 is granted in part. It is further ordered that Defendat may issue Rule 17(c) subpoenas to the following parties: (1) Fidelity Federal Savings & Loan; (2) Hiawatha Federal Savings and Loan; (3) Union Bank; and (4) Greenbaum, Doll & McDonald. (3) dist'd/dkt'd 5/18/93 RBM/amy				
JUN 10	Defendant's Motion and Incorporated Memorandum for Reconsideration of Rule 17(c) Subpoena to the IRS. (5) amy				
JUN 24	Government's Opposition to Defendant Fuqua's Motion for Reconsideration of Rule 17(C) Subpoena. (6) amy				
JUN 28	ORDER...defendant Fuqua's Motion for Reconsideration of Rule 17(c) subpoena to the IRS, filed 6/10/93 is denied. (2) dist'd 6/28/93; dkt'd 6/30/93 RBM/amy				
	Return on Subpoena issued to Custodian of Records for Morrill & Janes Bank & Trust Co.; served 6/23/93. (2) amy				
JUN 30	Subpoena returned; issued to Custodian of REcords of Bank South Federal Savings Bank; served on 6/24/93. (2) amy				
JUL 2	Return on subpoena issued to Custodian of Records for Union Bank. amy				
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<u>1993</u>	(Document No.)				
JUL 12	Return of service regarding subpoena issued to Custodian of Records at Greenbaum, Dc11 & McDonald on 6/22/93. amy				
AUG 10	Defendant's Motion for Continuance. (4) amy				
AUG 16	ORDER...this case is continued to the Jury Trial docket at 9:00 a.m. on 11/1/93. Requested voir dire questions, proposed jury instructions, witness lists, exhibit lists and copies of exhibits, and motion in limine must be filed by 10/28/93. (2) dist'd/dkt'd 8/18/93 RBM/amy				
AUG 20	Defendant's Motion for Production of Grand Jury Transcripts. (15+) amy				
SEP 1	Government's Opposition to Defendant Fuqua's Motion for Production of Grand Jury Transcripts. (6) amy				
SEP 9	ORDER...that Fuqua's Motion for Production of Grand Jury Transcripts filed by Defendant on 8/20/93 is denied. (3) dist'd/dkt'd 9/10/93 RBM/amy				
OCT 6	Defendant's Second Motion for Continuance. (4) amy				
OCT 12	Defendant's Second Motion and Incorporated Memorandum Reconsideration of Rule 17(c) Subpoena to the IRS. (5) amy				
OCT 15	Government's Response to Defendant's Second Motion for Continuance. (7) amy				
OCT 18	AGREED ORDER REGARDING PHOTOCOPYING SERVICE...it is therefore ordered that the documents be transported to NightRider Overnight Copy Service for reproduction, that the originals be returned to the offices of the Bank Fraud Task Force on North Stemmons Freeway, and that the copies thereof be forwarded to the offices of the undersigned counsel for Defendant Fuqua. (2) dist'd 10/19/93; dkt'd 10/22/93 RBM/amy				
OCT 19	ORDER RESETTING TRIAL...it is therefore ordered that this case is reset to the jury trial docket on 1/4/94 at 9:00 a.m. Requested voir dire questions, proposed jury instructions, witness lists, and exhibit lists must be exchanged and motions in limine must be filed no later than 12/30/93. It is further ordered that the Defendant's Second Motion for Continuance, filed 10/6/93, is granted. (2) dist'd 10/19/93; dkt'd 10/22/93 RBM/amy				

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<u>1993</u>					
OCT 25	ORDER... it is therefore ordered that Fuqua's Second Motion for Reconsideration of Rule 17(c) Subpoena to the IRS filed on 10/12/93, is granted in part. It is further ordered that this Order is limited to Fuqua's 1984 individual tax return and does not apply to any related data. (2) dist'd 10/26/93; dkt'd 10/27/93 RBM/amy				
NOV 4	ORDER... that Defendant's Fuqua's Motion for Early Release of Jury Information filed on 3/15/93, is denied. It is further ordered that Defendant Fuqua's Motion for Specification of Jury Procedures, regarding the composition of the venire, filed on 3/15/93, is denied. (2) dist'd 11/5/93; dkt'd 11/19/93 RBM/amy				
DEC 3	ORDER SETTING PRETRIAL CONFERENCE... a pretrial conference is scheduled for 12/30/93 at 9:00 a.m. dist'd 12/3/93; dkt'd 12/8/93 RBM/amy				
DEC 9	JOINT and Uncontested Motion for Continuance of Trial Setting and for Expedited Scheduling Conference. (4) amy				
DEC 14	Defendant Fuqua's Supplement to Joint and Uncontested Motion for Continuance of Trial Setting. (15+) amy				
DEC 16	Defendant Fuqua's Motion and Incorporated Memorandum for Leave to Issue Subpoenas Duces Tecum and Require Pretrial Production of Documents Pursuant to Rule 17(c) of the FRof Criminal Procedure. (10) amy				
DEC 23	Defendant Fuqua's Motion for Letters Rogatory. (5) amy				
DEC 28	Government's Objection to Motion for letters rogatory. amy ORDER GRANTING MOTIONS FOR LEAVE TO ISSUE SUBPOENAS DUCES TECUM AND REQUIRE PRETRIAL PRODUCTION OF DOCUMENTS PURSUANT TO RULE 17(c). dist'd 12/29/93; dkt'd 12/29/93 RBM/amy				
DEC 29	ORDER RULING ON CERTAIN PRETRIAL MOTIONS... see order for specifics... dist'd 12/30/93; dkt'd 12/30/93 RBM/amy				
DEC 30	Government's Witness List. (6) amy Government's Exhibit List. (11) amy Government's Proposed Voir Dire Questions. (15+) amy				

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<u>1993</u>					
DEC 30	<p>Government's Motion in Limine to Prevent Reference to Irrelevant Matters and Brief in Support. (8) amy</p> <p>Government's Requested Jury Instructions. (15+) amy</p> <p>MO...hearing on motions; pretrial confernce held; after hearing arguments from counsel court set case for 5/2/94...order ruling on pretrial motions of Fuqua presented to counsel; court reserved ruling on motion in limine until trial time. amy</p> <p>Sealed document. amy</p> <p>ORDER GRANTING FUQUA'S MOTION FOR LETTERS ROGATROY...the motion for letters rogatory filed by Defendant Fuqua on 12/16/93 is granted. (1) dist'd 1/3/94; dkt'd 1/7/94 RBM/amy</p>				
<u>1994</u>					
JAN 3	Transcript of Pretrial Motions before Robert B. Maloney on 12/30/93. amy				
JAN 5	<p>ORDER RESETTING TRIAL...it is therefore ordered that this case is reset to the jury trial docket on 5/2/94 at 9:00 a.m. Requested voir dire questions, proposed jury instructions, witness lists, and exhibit lists must be exchanged and motions in limine shall have been filed by 12/30/93...it is further ordered that DEFendant Fuqua's Joint and Uncontested Motion for Continuance of Trial Setting, filed 12/9/93 and Defendant Fuqua's Supplement to the motion filed 12/14/93 is granted. (2) dist'd 1/5/94; dkt'd 1/7/94 RBM/amy</p> <p>Sealed document. amy</p>				
JAN 10	Return of Service on Subpoena Issued to Haynes and Boone, Hopkins and Sutter, Thompson and Knight, Baker and Botts. amy				
JAN 18	Defendant! Letters Rogatory Request. amy				
JAN 21	Sealed Document. amy				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1994</u>					
JAN 28	Government's Application for the Court to Grant Leave to Take Deposition and to REquest Assistance of the Judiciary of the Cayman Island. (7) amy				
	Government's Objection to Defenant's Fuqua's Letters Rogatory Request. (15+) amy				
JAN 31	SEALED ORDER dla				
FEB 3	ORDER...Dft's response to application must be filed on or before 2/7/94 RBM/dla dist'd 2/3 d kt'd 2/11				
FEB 7	Dft Fuqua's Resp to Govt's Application for leave to take depo dla				
FEB 14	ORDER GRANTING APPLICATION FOR LEAVE TO TAKE DEPO OVERRULING OBJ TO FUQUA'S LETTERS ROGATORY REQUEST . Ordered that Govt's Obj to Dft's Fuqua's Letters Rogatory Request filed 1/28/94 is overruled. Further ordered that District Clerk shall release this original order & the original Request for Int'l Judicial Assist. to the US for transmission to the Cayman Islands & shall substitute cert copies to be maintained in place of originals. RBM/dla dist'd 2/15 dkt'd 2/16				
Feb 15	Issued Request For Letters Rogatory RBM/dla				
Mar 3	Pla's Motion for Scheduling Conference dla				
Mar 9	Pla's Motion for Appropriate Relief, brief in support & proposed order dla Pla's Submission of Revised Request for Int'l Judicial Assistance dla Pla's Interrog to be submitted under cover of dft Fuqua's Letter Rogatory Request dla				
MAR 14	ORDER...granting pla's Motion for Appropriate Relief . dist'd 3/14 dkt'd 3/15 RBM/dla				
MAR 15	ORDER...granting pla's Motion for Scheduling Cnf & setting scheduling cnf for 4/7/94 at 9am. dist'd 3/15/ dkt 3/15 RBM/dla				

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<u>1994</u>	(Document No.)				
MAR 15	Pla's Request for Int'l Judicial Assistance (orig. to atty for govt to forward to State Dept) (15+)				
APR 11	ORDER...setting Pretrial Cnf for 4/28/94 at 9:30. RBM/dla dkt'd 4/13 dist 4/13				
APR 18	DFT's Motion for Leave to file (1) Resp to pla's Motion to Exclude Irrelevant Matters, (2) Motion & Incorp. Memo to Suppress or in the alternative, 2nd Mo- tion in Limine to Exlude dft Fuqua's Civil Depo, (3) Motion & Incorp. Memo for Leave to Issue Subpoenas Duces Tecum & Require Pretrial Production of Docu- ments, (4) 5th Motion in Limine & Incorp Memo to Exclude Testimony Re: Advice to Clients, (5) 4th Motion in Limine & Incorp. Memo to Exclude Evidence of Civil Regula- tory Violations, (6) 3rd Motion in Limine to Exclude Co-Dft's Prior Bad Acts or in the Alternative, for Severance, (7) Suppl Motion & Memo for Severance, (8) Motion & Incorp Memo to Dismiss for Undue Prosecu- torial Delay & Limitations, (9) Motion w/ Incorp Memo for Order Requiring Govt to Comply w/Rule 16, (10) Motion in Limine & Incorp Memo to Exlude Rule 404(b) Evidence Re: Employment Taxes, (11) 7th Motion in Limine to Exclude References to Koby's Statements Indicating dft was a princi- pal in the Warrenton Farms Transaction. dla				
APR 20	ORDER...granting dft's Motion for Leave to File attached motions. District Clerk shall file motions which accompany this order. RBM/dla dis't 4/21 dkt'd 4/21 Dft's Resp to the Pla's Motion in Limine to Prevent Reference to Irrelevant Matters dla Dft's Motion & Memo to Suppress or, in the Alternative, 2nd Motion in Limine to Ex- clude dft's civil depo dla Dft's 5th Motion in Limine & Momo to Ex- clude testimony Re: Advice to Clients dla				

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1994					
APR 20	Dft's Motion & Memo for Leave to Issue Subpoena Duces Tecum & Require Pretrial Production of Documents Pursuant to Rule 17(C) of FRCrP dla Dft's Memo in Support of 3rd Motion in Limine to Exclude Co-Dft's Prior Bad Acts or in the alternative, for severance dla Dft's 4th Motion in Limine & Memo to Exclude Evidence of Civil Regulatory Violations.dla Dft's 3rd Motion in Limine to Exclude Co-dft's Prior Bad Acts, or in the Alternative for severance dla Dft's Suppl Motion & Memo in Support of Motion for Severance dla Dft's Motion & Memo to Dismiss for Undue Prosecutorial Delay & Limitations dla Dft's Motion & Memo for Order Requiring pla to comply w/Rule 16 dla Dft's 6th Motion in Limine & Memo to Exclude Rule 404(b) Evidence re: Employment Taxes dla Dft's 7th Motion in Limine to Exclude References to Koby's Statements Indicating dft was a Principal in the Warrenton Farms Transaction dla				
APR 25	Pla's Substitution of Gov't Counsel; substituting Atty John Hinton III in place of Fraud Section Trial Atty J Steve Hinkle dla				
APR 26	Dft's Unopposed Motion for Leave to File Attached Motion dla Pla's Resp to dft's Motion to Suppress or in the alternative, 2nd Motion in Limine to exclude dft's Civil Depo dla Pla's Resp to dft's Motion to Dismiss for Undue Prosecutorial Delay & Limitations dla Pla's Consolidated Resp to dft's Pretrial Motions dla				

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		(a)	(b)	(c)	(d)
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APR 28	Return of Service executed as to Thomas Graber on 4/27/94 re: Subpoena Dft's Motion for Leave to File attached motion dla				
APR 29	Dft's Witness List dla Dft's Revised Requested Jury Instructions dla				
APR 20	Pla's Stipulation & Protective Order dla				
APR 29	STIPULATION & PROTECTIVE ORDER... (refer to original order for specifics) dla RBM/dla dist' 4/29 dkt'd 5/4				
MAY 3	Dft's Motion to Withdraw Motion to Compel Production Of Documents or Dismiss Due to Loss or Destruction of Evidence dla Dft's Reply to Pla's Consolidated Response to dft's Pretrial Motions dla Pla's Motion to Quash Subpoena & Incorp Memo dla				
APR 28	MO... Hrg on Motions, Pretrial Conf. Gov't asked to resp to M/Limine w/in 5 days. Trial est 7-8 days. Court willl possibly call case 5/17/94. Court may set hrg on 5/13/94. Gov't believes hrg will not be necessary after Court reviews their response. (Conduct of Grayham) dla				
MAY 4	ORDER... granting dft's Motion for Leave to File Attached Motion filed 4/26/94. Ordered that Dist Clerk shall file the Motion to Dismiss & for Election Among Multiplicitous Counts of the Indictment which accompanies this order RBM/dla dis't 5/5/94 dkt'd 5/9/95 Dft's Motion & Incorp Memo to Dismiss & for Election Aong Multiplicitous Counts of the Indictment dla Dft's Motion for Leave to Call Joel Eastman out of order dla				

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1994					
MAY 4	Dft's Motion & Incopr Memo to Dismiss & for Election Among Multiplicitous Counts of the Indictment dla				
	Pla's Notification of Intent to Request Judicial Notice dla				
	Pla's Motion for EARly Production of Rule 17(c) Subpoena Materials & Incor Memo dla				
MAY 5	Resp of Amicus Curiae to dft's Motion to Suppress or in the Alternative, 2nd Motion in Limine to Exclude dft's Civil Depo dla				
	Dft's Exhibit list dla				
	Motion by Non-pty Hopkins & Sutter to Quash Subpoena Duces Tecum & Brief in Support & Request for Emergency Consideration dla				
	Dft's Reply to pla's REsp to His Motion & Incorp Memo to Dismiss & for Election Among Multiplicitous Counst of the Indictment dla				
MAY 6	ORDER...granting pla's Motion for PRetrial production of Documents Pursuant to Rule 17(c) RBM/dla dis't 5/9 dkt'd 5/9				
	Dft's Reply & Memo in Support to Govt's resp Concerning examination Reports dla				
	PLa's Exhibit List dla				
	Pla's Request for Court to Order Release of PRisoner dla				
	Pla's Proffer of Conspiracy Evidence dla				
MAY 5	ORDER...setting hrg for 5/9/94 at 9am in courtroom. RBM/dla dist'd 5/9 dkt'd 5/10				
MAY 6	Dft's Motion & Incorp Memo to Compel Prod of Draft Affidavits dla				
	Dft's Reply to the Govt's REsp to His Motion to Suppress or in the Alternative 2nd Motion in Limine to Exclude dft's Civil Depo dla				
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MAY 6	Dft's Motion for Severance or in the Alternative, Motion in Limine to Exclude Hearsay w/in Hearsay dla Dft's Suppl Motion & Memo for Severance dla Dft's Suppl Voir Dire Questions dla				
MAY 9	ORDER...Granting Motion for Leave to Call Joel Eastman out of Order dla ORDER...Warden of FCI in Ft Worth TX is ordered to release inmate Jarrett E Woods Jr to Special Agents of the IRS on 5/10, 11, & 12/94. Inmate will be returned to correctional facility at conclusion of ea days' proceedings. RBM/dla dkt'd 5/10 dist 5/9				
MAY 6	ORDER...ruling on Motions re: subpoenas to Thomas Graber. Ordered that dft's Motion for Leave to Issue Subpoenas Duces Tecum & Require Pretrial Production of Documents filed 4/20/94 is denied. Ordered that the Motion to Quash Subpoena filed by Gov't on 5/3/94 is granted except that Graber is to appear at trial on 5/9/94 for hrg on dft's Motion to Suppress. Ordered that the Motion Quash Subpoena Duces Tecum filed by Hopkins & Sutter on 5/5/94 is granted except that Graber is to appear at trial on 5/9/94 for the hrg on dft's motion to suppress. Ordered that the 2nd Motion in limine to Exclude dft's Civil Depo filed by Baker & Botts on 5/5/94 is denied. RBM/dla dkt'd 5/10 dist 5/10				
MAY 9	ORDER...denying Motion to Dismiss & for Election Among Multiplicitous Counts of the Indictment. RBM/dla dist'd 5/10 dkt'd 5/10 ORDER...denying Motion for Leave to file attached Motion & Declaring Moot Motion to Withdraw Motion to Compel Production of Documents. RBM/dla dist'd 5/9 dkt'd 5/10 ORDER...denying Alternative Motion for Se-				

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		(a)	(b)	(c)	(d)
<u>1994</u>	(Document No.)				
	(cont.) -verance & denying Suppl Motion for Severance 5/10 RBM/dla dist'd 5/10 dkt'd 5/10				
MAY 10	ORDER...Preliminary Conspiracy Findings (refer to original order for specifics) RBM/dla dkt'd 5/10 dist 5/10				
	ORDER...denying dft ^{AUGIN'S} Motion for Continuance & denying dft's Motion to Compel RBM/dla dist'd 5/10 dkt'd 5/10				
	ORDER...denying motion to dismiss for Undue Prosecutorial Delay & Limitations RBM/dla dis't 5/10 dkt'd 5/10				
	ORDER...denying Dft's suppl Motion for Severance 5/10 RBM/dla dist'd 5/10 dkt'd 5/10				
	ORDER...denying Dft's Motion for Severance RBM/dla dis'td 5/10 dkt'd 5/10				
	Dft's Reply to the Gov'ts Resp to Dft's Suppl Motion & Memo for Severance dla				
	Pla's Resp to dft's Suppl Motion & Memo for Severance dla				
	Jury Roll dla				
MAY 11	Pla's Suppl Notice of Intent to Request Judicial Notice dla				
MAY 9	MO...Day 1 of jury trial. Pretrial Cnf held prior to trial. dla				
MAY 10	MO...Day 2 of jury trial. Voir Dire begins. Jury impaneled, selected, & sworn. Jury trial held. dla				
MAY 11	MO...Day 3 of jury trial held. dla				
MAY 12	MO...Day 4 of Jury trial held. dla				
MAY 13	Pla's Request for Court to Order Release of Prisoner Jarrett E Woods, Jr dla				
	ORDER...granting Pla's Request for Release of Prisoner Jarrett E Woods, Jr for purpose of testifying on 5/16, 17, 18/94 RBM/dla dkt 5/13 dist 5/13				

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1994	(Document No.)				
MAY 17	MO...Day 6 of jury trial				
May 17	Deft Fuqua Mtn & Inc. Memo to Compel Introd. of Dep.Test. etc.		dla		
MAY 18	MO...Day 7 of jury trial				
MAY 20	MO...Day 8 of jury trial				
MAY 23	MO...Day 9 of jury trial				
May 23	Deft Mtn for Judgment of Acquittal.		dla		
May 25	Deft Mtn for Judgment of Acqu on Count 2		dla		
	Pla's Opposition to dfts' Motions for jgm of Acquittal				
**May 23	Deft Request for introduction of Aubins Depo. Testimony		dla		
	Dft's Suppl Motion for Jgm of Acquittal on Count 2				
	Dft's 2nd Revised Requested Jury Instructions				
MAY 31	Dft's 3rd Revised Requested Jury Instructions				
	Return of SService Executed re: Subpoena to Richard A Brooks; served 5/25/94				
JUN 1	Dft's Motion in Limine to Exclude Irrelevant Income Tax Matters				
	Dft's Suppl Motion & Memo in Support of the Admissibility of the Bankruptcy Court's Ruling on the Crime Fraud Exception				
MAY 24	MO...day 10 of jury trial				
MAY 25	MO...day 11 of jury trial				
MAY 26	MO...day 12 of jury trial				
MAY 31	MO...day 13 of jury trial				
JUN 1	ORDER...warden of Federal Correctional Institute in Ft Worth TX is ordered to release inmate Jarrett E Woods Jr to Special Agents of IRS or FBI for testifying in proceeding 6/1/94. Inmate to be returned to correctional facility at conclusion. RBM/dla dkit'd & dis'td 6/1/94				

Interval (per Section II) Start Date End Date Ltr. Total Code Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

RICHARD FUQUA p. 18

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AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1994</u>	(Document No.)				
JUN 1	ORDER...Warden of FCI in Ft Worth TX is ordered to release inmate Jarrett E Woods Jr to Special Agents of IRS or FBI for testifying on 6/2/94 & 6/3/94. Inmate to be returned to correctional facility at conclusion of proceeding RBM/dla dkt'd & dis'td 6/2/94				
	MO...day 14 of jury trial dla				
JUN 2	MO...15th day of jury trial. Juror J Duck did not get here until 11 am (his wife was ill) Jurors to return at 9:30 tomorrow for final arguments dla				
JUN 3	Dft's Motion for jgm of Acquittal dla Dft's Motion for jgm of Acquittal on Ct. 2 dla MO... Day 16 of Jury trial. Evidence concluded,, fnl arguments; Court's charge to jury; jury deliberating; jury verdict rendered; jury trial ends; sentencing set for 9/1/94 at 3pm; jury deliberated from 3:45 bringing in verdict at 10pm (dft Aubin found guilty on Cts 1,2,5; dft Fuqua found not guilty on all counts) dla JURY NOTES dla				
JUN 6	Verdict of the jury dla COURT'S CHARGE TO THE JURY RBM/dla				
JUN 8	Memo to File...from J.T. Trial Exhibits May & June, '94; Reporter: S Engledow (in 3 redweld folders) To the Clerk on 6/8/94 dla Dft's Motion for Leave to Interview Jurors dla				
JUN 10	ORDER...dft was found not guilty & is acquitted, dischard, & any bond is exonerated RBM/dla dis't 6/10 dkt'd 6/13 ORDER...declaring moot dft Fuqua's Motions for jgm of acquittal filed 5/23/94, 5/25/94, 6/3/94 RBM/dla dis'td 6/10 dkt'd 6/13/94				
		Interval (per Section 11)	Start Date End Date	Ltr. Code	Total Days

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

RICHARD FUQUA p. 19

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AO 256A *

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE F		Y
		(a)	(b)	
<u>1994</u>	(Document No.)			
JUN 10	ORDER...granting in Part Motion to Compel Introduction of Fuqua's & Aubin's Depo Testimony. (refer to orig order for specifics) RBM/dla dis'td 6/10 dkt'd 6/13			
JUN 13	ORDER...denying w/o prej dft Fuqua's Motion for Leave to Interview Jurors			
JUL 14	Joint Motion by Aubin & Fuqua for Leave to Interview Jurors dla			
JUL 18	Pla's Opposition to Joint Motion for Leave to Interview Jurors dla			
JUL 19	Dft's Resp to Pla's Opposition to Joint Motion for Leave to Interview Jurors dla			
JUL 20	Pla's Report to Court re: substitution of exhibits dla			
AUG 1	ORDER...granting Jt Motion for Leave to Interview Jurors. Ordered that Clerk forward copy of this order to ea juror empaneled to sit in this matter. RBM/dla dkt'd & dis'td 8/2/94			
<u>1995</u>				
Jan 27	TRANSCRIPT OF PRETRIAL MOTIONS, proceedings held on May 9, 1994 before the Hon. Robt. B. Maloney submitted by Sue Engledow. Vol I gs			
	TRANSCRIPT OF PROCEEDINGS held on May 10, 1994 before the Hon. Robt. B. Maloney submittted by Sue Engledow Vol II			
	TRANSCRIPT OF PROCEEDINGS HELD on May 11, 1994, before the Hon. Robt. B Maloney, submitted by Sue Engledow Vol III gs			
	TRANSCRIPT OF PROCEEDINGS held on May 12, 1994 before the Hon. Robt. B. Maloney as submittted by Sue Engledow Vol IV. gs			
	TRANSCRIPT OF PROCEEDING SHELd on May 16, 1994 before the Hon. Robt. B. Maloney submitted by Sue Engledow. Vol V. gs			
	TRANSCRIPT OF PROCEEDINGS held on May 17, 1994 before the Hon. Robt. B Maloney as submitted by Sue Engledow. Vol VI. gs			

Interval
(per Section 11)Start Date
End DateLtr. Total
Code Days

AO 256A

DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>2</u> Jan 27	TRANSCRIPT OF PROCEEDINGS held on May 18, 1994 before the Hon. Robt. B. Maloney submitted by Sue Engledow Vol VII gs				
	TRANSCRIPT OF PROCEEDINGS held on May 20, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow Vol VIII gs				
	TRANSCRIPT OF PROCEEDINGS held on May 24, 1995 before the Hon. Robt. B. Maloney Vol X. gs				
	TRANSCRIPT OF PROCEEDINGS held on May 23, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow Vol IX gs				
	TRANSCRIPT OF PROCEEDINGS held on May 25, 1994 before the Hon Robt. B Maloney submitted by Sue Engledow Vol XI gs				
	TRANSCRIPT ofPROCEEDINGS held on May 26, 1994 before the Hon. Robt. B Maloney sumbitted by Sue Engledow Vol XII gs				
	TRANSCRIPT OF PROCEEDINGS held on May 31, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow Vol XIV. gs				
	TRANSCRIPT OF PROCEEDINGS held on June 1, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow Vol XIV. gs				
	TRANSCRIPT OF PROCEEDINGS held on June 2, 1994 before the Hon. Robt. B Maloney sumbitted by Sue Engledow Vol XV gs				
	TRANSCRIPT OF PROCEEDINGS held on June 3, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow Vol XVI gs				
	TRANSCRIPT OF PROCEEDINGS of Sentencing held on October 12, 1994 before the Hon. Robt. B Maloney submitted by Sue Engledow.				
	TRANSCRIPT OF VOIR DIRE OF JURY PANEL BEFORE the Hon. Robt. B. Maloney on May 10, 1994 submitted by Sue Engledow. gs				
Jun 6	TRANSCRIPT OF COURT'S CHARGE & ARGUMENTS BEFORE THE HON. ROBT. B. MALONEY held on June 3, 1994 submitted by Sue Engledow. gs				
<u>1996</u>					
Mar 21	TRANSCRIPT of Pretrial beforeRobt. Maloney on 4/28/96 submitted by Sue Engledow. gs				
		Interval (per Section II)	Start Date End Date	Ltr. Code	Total Days

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DATE		PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
		(Document No.)		(a)	(b)	(c)	(d)
1998							
FEB 17		EXHIBITS RETURNED to Parties	svc				
FEB 20		REC'D ACKNOWLEDGMENT of receipt of exhibits from Dft	svc				